

FILED

OCT 06 2021

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

Clerk, U. S. District Court  
Eastern District of Tennessee  
At Knoxville

UNITED STATES OF AMERICA,

Plaintiff,

v.

JESSE JEROME SMITH,  
[REDACTED]

Defendants.

NO. 3:21-CR- 128

JUDGES Varlan/Guyton

INDICTMENT

COUNT ONE

The Grand Jury charges that, on or about January 26, 2020, in the Eastern District of Tennessee, the defendants, JESSE JEROME SMITH, [REDACTED] did combine, conspire, confederate, and agree with one another and others to knowingly, intentionally and without authority, to distribute one hundred (100) grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 846, 841(a)(1), and 841(b)(1)(B).

COUNT TWO

The Grand Jury further charges that, on or about January 26, 2020, in the Eastern District of Tennessee, the defendant, JESSE JEROME SMITH, did knowingly, intentionally, and without authority possess with intent to distribute fifty (50) grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

### **COUNT THREE**

The Grand Jury further charges that, on or about January 26, 2020, in the Eastern District of Tennessee, the defendant, JESSE JEROME SMITH, did knowingly, intentionally, and without authority possess with intent one hundred (100) grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

### **COUNT FOUR**

The Grand Jury further charges that, on or about January 26, 2020, in the Eastern District of Tennessee, the defendant, JESSE JEROME SMITH, did knowingly possess and discharge a firearm in furtherance of drug trafficking offenses for which he may be prosecuted in a court of the United States, as set forth in Count One, Count Two, and Count Three in this indictment, that is, violations of Title 21, United States Code, Sections 841(a)(1) and 846, the descriptions of which are hereby incorporated by reference as though fully set forth herein, all in violation of Title 18, United States Code, Section 924(c).

### **COUNT FIVE**

The Grand Jury further charges that, on or about January 26, 2020, in the Eastern District of Tennessee, the defendant, JESSE JEROME SMITH, knowing that he had previously been convicted of a crime punishable by a term of imprisonment exceeding one year, did knowingly possess a firearm, and the firearm has been shipped and transported in interstate commerce, in violation of Title 18, United States Code, Section 922(g)(1).

## FORFEITURE ALLEGATIONS

1. The allegations contained in this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853, Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c).

2. Upon conviction of an offense in violation of Title 21, United States Code, Sections 841 and/or 846, as set forth in Counts One, Two, and Three, the defendants, JESSE JEROME SMITH, [REDACTED] pursuant to Title 21, United States Code, Section 853, shall forfeit to the United States any and all property used, and intended to be used, to commit, and to facilitate the commission of a violation of Title 21, United States Code, Section 841 and/or 846, and any and all property constituting and derived from any proceeds obtained, directly or indirectly, as a result of a violation of Title 21, United States Code, Sections 841 and/or 846, including, but not limited to the following properties:

A. Money Judgment

Proceeds the defendants, JESSE JEROME SMITH, [REDACTED] personally obtained as a result of the violation of Title 21, United States Code, Sections 841 and/or 846

B. Firearms and Ammunition.

- (a) a HiPoint Model 995, 9mm semiautomatic carbine;
- (b) a Springfield Model XD9 9mm pistol; and
- (c) Ammunition.

3. Upon conviction of an offense in violation of Title 18, United States Code, Sections 922 and/or 924, as set forth in Counts Four and Five, the defendant, JESSE JEROME SMITH, shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d)(1) and

Title 28, United States Code, Section 2461(c), any firearms and ammunition involved in or used in the commission of the offense, including but not limited to:

(a) HiPoint Model 995, 9mm semiautomatic carbine;

(b) Springfield Model XD9 9mm pistol; and

(c) Ammunition.

4. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

A TRUE BILL:

**SIGNATURE REDACTED**

GRAND JURY FOREPERSON

FRANCIS M. HAMILTON III  
ACTING UNITED STATES ATTORNEY



ALAN S. KIRK  
Assistant United States Attorney